

<b>RESPONSE</b>			Docket No. <b>OCT020USPT01</b>
Serial No. <b>10/781,266</b>	Filing Date <b>February 18, 2004</b>	Examiner <b>Stephen R. Crow</b>	Group Art Unit <b>3764</b>
Applicant:	<b>Porth</b>		
Invention:	<b>EXERCISE EQUIPMENT WITH AUTOMATIC ADJUSTMENT OF STRIDE LENGTH AND/OR STRIDE HEIGHT BASED UPON SPEED OF FOOT SUPPORT</b>		

**Mail Stop Amendment**  
Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

This communication is in response to the Office Action dated January 11, 2007 to which a response is due on or before February 11, 2007.

*1.0 The Examiner has required the election of a single species.*

As an initial matter, Applicant submits that the figures grouped together as Species II are actually two distinct species, with figure 5 (Species IIA) depicting a species in which stride adjustment is achieved by moving the point at which the foot support link is pivotally connected to a rear guide arm relative to the frame, while figures 6-8 (Species IIB) depict a species in which stride adjustment is achieved by moving the entire crank arm relative to the frame. Applicant elects to prosecute Species IIA (Figure 5) without traverse. The claims that read upon Species IIA include claims 1-4, 8, 10, 12, 14, 16, 17, 20, 22-25, 30, 31, 33, 35, 37, 39, 40, 43, 45-48, 53, 54, 63 and 66.

In the event the Examiner disagrees with Applicant's separation of Species II in two distinct species as set forth above, Applicant requests that the Examiner contact counsel for

Applicant for purposes of allowing Applicant to identify claims reading upon both Species IIA and IIB.

Respectfully submitted,

Date

09 Feb 04

By



Michael S. Sherrill, #32,302  
SHERRILL LAW OFFICES  
4756 Banning Avenue, Suite 212  
White Bear Lake, Minnesota 55110-3205  
(651) 426-2400